

REMARKS

Claims 1 and 5-12 are pending in this application. By this Amendment, claim 1 is amended to further distinguish from the cited references. Support for the amendments to claim 1 can be found in the original specification at least at, for example, page 8, lines 8-11, page 9, lines 16-22 and page 14, lines 25-32 and claim 5. Claim 5 is amended to remove redundant subject matter to amended claim 1. Claim 6 is amended for antecedence. No new matter is added.

In view of the foregoing amendments and the following remarks, reconsideration and allowance of claims 1 and 5-12 are respectfully requested.

35 U.S.C. §103(a) Rejection

Saito In View Of Fosnight

Claims 1 and 12 were rejected under 35 U.S.C. §103(a) as allegedly being obvious over Saito (JP 2003-222992) in view of Fosnight (U.S. Patent No. 6,216,873). Applicant respectfully traverses this rejection.

Amended claim 1 requires, among other features, (1) a space at a middle portion of the L-shape not being in contact with the substrate and (2) the upper support parts and the lower support parts being symmetrically constructed to each other so that the substrate storage case is capable of being opened from both the top lid and the bottom lid.

The combination of Saito and Fosnight does not render obvious at least above features (1) and (2) recited in claim 1.

The Patent Office admits that Saito does not describe lower support parts disposed in four corners of the bottom lid, each of the lower support parts being brought in contact with a pair of edges of the substrate on a bottom face side thereof; upper support parts are disposed in four corners of the top lid, each of the upper support parts being brought in contact with a pair of edges of the substrate on a top face side thereof, and each of the pair of support

portions in each of the lower support parts and in each of the upper support parts including an oblique face being in contact with a corner edge of the substrate to clamp the substrate from a lower side and from an upper side between the support portions of the lower support parts and the support portions of the upper support parts so that vertical and horizontal movement of the substrate is substantially prevented as recited in claim 1. The Patent Office introduces Fosnight as allegedly remedying the deficiencies of Saito.

However, the combination of Saito and Fosnight does not render obvious at least above features (1) and (2) recited in claim 1.

Fosnight describes a reticle support 112 for supporting a reticle. Fosnight describes that the top of each post 126 includes a beveled concavity 128 (allegedly similar to the lower support parts recited in claim 1) that includes a pair of sidewalls 129 and 130 that are sloped inward. See col. 7, lines 59-65 of Fosnight. Fosnight further describes that a cantilevered section 146 is affixed to the ends of base portion 136. Fosnight describes that the ends of the cantilevered section 146 include a beveled concavity 148 (allegedly similar to the upper support parts recited in claim 1) that is inverted with respect to the beveled concavity 128. See col. 9, line 65 to col. 10, line 7 of Fosnight. However, the beveled concavity 128 is shaped differently (not symmetric) to the beveled concavity 148 of Fosnight. See, for example, Figs. 11 and 12 of Fosnight.

Thus, Fosnight does not describe, or provide any reason or rationale for one of ordinary skill in the art to have come to, the upper support parts and the lower support parts being symmetrically constructed to each other, as recited in claim 1. Further, the Patent Office admits that the combination of Saito and Fosnight does not describe the recited symmetric construction. See page 4, lines 16-17 of the Office Action.

Additionally, Fosnight does not describe, or provide any reason or rationale for one of ordinary skill in the art to have come to, a space at a middle portion of the L-shape not being in contact with the substrate, as recited in claim 1.

For at least the above reasons, Fosnight does not remedy the deficiencies of Saito regarding above features (1) and (2) recited in claim 1.

Thus, the combination of Saito and Fosnight would not have rendered obvious claim 1. Claim 12 depends from claim 1. For at least its dependency, and for the additional features recited, the combination of Saito and Fosnight also would not have rendered obvious claim 12.

Withdrawal of the rejection is respectfully requested.

Saito In View Of Fosnight And Tokushima

Claim 5 was rejected under 35 U.S.C. §103(a) as allegedly obvious over Saito in view of Fosnight and further in view of Tokushima (JP 10-010705). Applicant respectfully traverses this rejection.

The Patent Office alleges that Tokushima describes the lower support parts of the bottom lid and the upper support parts of the top lid have shapes symmetrical with each other. However, Tokushima does not remedy the deficiencies of Saito and Fosnight discussed above.

Tokushima describes an attachment component 60 that has a taper section that is fixed on a bottom plate 52. See paragraph [0011] of Tokushima. Tokushima further describes a top face lid 58 including attachment components 60. See paragraph [0013] of Tokushima. However, Tokushima does not describe, or provide any reason or rationale for one of ordinary skill in the art to have come to, a space at a middle portion of the L-shape not being in contact with the substrate, as recited in claim 1.

Further, Tokushima is silent as to the symmetry of the upper attachment portions and the lower attachment portions. Tokushima also does not describe the benefits associated with the upper support parts and the lower support parts being symmetrically constructed to each other so that the substrate storage case is capable of being opened from both the top lid and the bottom lid, as recited in claim 1. Thus, one of ordinary skill in the art would not have had any reason or rationale to have substituted the attachment portions 60 of Tokushima for the beveled concavities of Fosnight. Thus, the Patent Office's allegation of obviousness relies upon improper hindsight as supporting any such reason or rationale for one of ordinary skill in the art to have combined such references.

In view of the above, the combination of Saito, Fosnight and Tokushima would not have rendered obvious claim 5. Withdrawal of the rejection is respectfully requested.

Other Rejections

The following claims were rejected under 35 U.S.C. §103(a) as allegedly being obvious:

- (A) Claims 6 and 7 relying upon Saito in view of Fosnight and further in view of Kosugi (U.S. Patent No. 4,776,462);
- (B) Claim 8 relying upon Saito in view of Fosnight and further in view of Scherb (U.S. Patent No. 5,259,523);
- (C) Claim 9 over Saito in view of Fosnight and Scherb and further in view of Yamauchi (U.S. Patent No. 5,353,934);
- (D) Claim 10 relying upon Saito in view of Fosnight and further in view of Freed (U.S. Patent No. 3,615,006) Applicant respectfully traverses this rejection; and
- (E) Claim 11 relying upon Saito in view of Fosnight and Freed and further in view of Yamauchi.

Applicant respectfully traverses each of the above rejections (A)-(E).

None of Kosugi, Scherb, Yamauchi and Freed remedy the above deficiencies of Saito and Fosnight regarding claim 1. That is, none of Kosugi, Scherb, Yamauchi and Freed describe, or provide any reason or rationale for one of ordinary skill in the art to have come to, (1) a space at a middle portion of the L-shape not being in contact with the substrate and (2) the upper support parts and the lower support parts being symmetrically constructed to each other so that the substrate storage case is capable of being opened from both the top lid and the bottom lid, or the benefits associated therewith. Thus, the combination of references indicated in above rejections (A)-(E) would not have rendered obvious claim 1.

Each of claims 6-11 depend from claim 1 and thus also require above features (1) and (2) recited in claim 1. Thus, the combination of references indicated in rejections (A)-(E) above would not have rendered obvious claims 6-11.

Withdrawal of the above rejections (A)-(E) is respectfully requested.

Concluding Remarks

In view of the foregoing, it is respectfully submitted that this application is in condition for allowance. Favorable reconsideration and prompt allowance of claims 1 and 5-12 are earnestly solicited.

Should the Examiner believe that anything further would be desirable in order to place this application in even better condition for allowance, the Examiner is invited to contact the undersigned at the telephone number set forth below.

Respectfully submitted,



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